



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,229	01/20/2006	Martin Brodt	710.1036	9930
23280 7590 11/28/2007 DAVIDSON, DAVIDSON & KAPPEL, LLC 485 SEVENTH AVENUE, 14TH FLOOR NEW YORK, NY 10018			EXAMINER OMGBA, ESSAMA	
			ART UNIT 3726	PAPER NUMBER
			MAIL DATE 11/28/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ED

Office Action Summary	Application No. 10/565,229	Applicant(s) BRODT ET AL.	
	Examiner Essama Omgba	Art Unit 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/25/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 10-12, 16-21, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Miller et al. (US Patent 6,584,671).

With regards to claims 10, 11, 20 and 21, Applicant, at pages 1 and 2 of the specification to be known as AAPA, discloses a process for producing a press-hardened component from a semi-finished product made of unhardened, hot-formable steel sheet, wherein a steel semi-finished product pre-coated with a corrosion prevention layer is formed into a component blank using a cold-forming process, the component blank is subsequently trimmed and heated and press-hardened the trimmed component blank by hot-forming. AAPA does not disclose covering the press-hardened component blank with a corrosion-prevention layer in a coating step. However it is known to cover a component whose edges have been cut during the forming process with a coating of corrosion prevention-layer so as to protect the cut edges from corrosion as attested by Miller et al., see column 1, lines 16-31. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention, to have covered the press-hardened component blank of AAPA with a corrosion-prevention layer, in light of the teachings of Miller et al., in order to provide the trimmed edges of the press-hardened component

blank with a corrosion-prevention layer. Applicant should note that the press-hardened components of AAPA are bodywork components.

With regards to claim 12, Applicant should note cold-forming processes such as drawing are old and well known in the art.

For claims 16-19, Applicant should note that the steps of cleaning the surface of a component by blasting the surface with glass particles prior to the coating step, and conditioning the component after the coating, are old and well known in the art.

For claims 25-30, Applicant should note that such method steps are old and well known in the art.

3. Claims 13, 15, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA/Miller et al. as applied to claims 10 and 20 above, and further in view of Warichet et al. (US Patent 6,921,439).

AAPA/Miller et al. discloses a process for producing a press-hardened component as shown above. Although AAPA/Miller et al. does not explicitly disclose the coating being done by a hot-dipping galvanization process, however it is known to coat steel articles by hot-dipping galvanization, the articles having been dry-cleaned prior to the coating as attested by Warichet et al., see column 1, lines 16-26. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention, to have coated the press-hardened component of AAPA/Miller et al., by a hot-dipping galvanization process as is known in the art.

4. Claims 14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA/Miller et al. as applied to claims 10 and 20 above, and further in view of Shtikan et al. (US Patent 7,192,624).

AAPA/Miller et al. discloses a process for producing a press-hardened component as shown above. Although AAPA/Miller et al. does not explicitly disclose the coating being done by a thermal diffusion process, however it is known to coat steel articles by thermal diffusion as attested by Shtikan et al., see column 1, lines 19-27. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention, to have coated the press-hardened component of AAPA/Miller et al., by a thermal diffusion process as is known in the art.

Response to Arguments

5. Applicant's arguments with respect to claims 10-28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Also new grounds of rejections of claims 13-15 and 22-24 are to provide support to the Official Notice position taken in the previous Office action so as to respond to Applicant's arguments. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (571) 272-4532. The examiner can normally be reached on M-F 9-6:30, 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/565,229
Art Unit: 3726

Page 6

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Essama Ongba
Primary Examiner
Art Unit 3726

eo
November 25, 2007